

AMENDMENT IN THE NATURE OF A SUBSTITUTE
TO H.R. 282
OFFERED BY MS. ROS-LEHTINEN OF FLORIDA
AND MR. LANTOS OF CALIFORNIA

Strike all after the enacting clause and insert the following:

1 SECTION 1. SHORT TITLE.

2 This Act may be cited as the “Iran Freedom Support
3 Act”.

4 SEC. 2. TABLE OF CONTENTS.

5 The table of contents for this Act is as follows:

Sec. 1. Short title.

Sec. 2. Table of contents.

TITLE I—CODIFICATION OF SANCTIONS AGAINST IRAN

Sec. 101. Codification of sanctions.

Sec. 102. Liability of parent companies for violations of sanctions by foreign entities.

TITLE II—AMENDMENTS TO THE IRAN AND LIBYA SANCTIONS
ACT OF 1996 AND OTHER PROVISIONS RELATED TO INVEST-
MENT IN IRAN

Sec. 201. Multilateral regime.

Sec. 202. Imposition of sanctions.

Sec. 203. Termination of sanctions.

Sec. 204. Sunset.

Sec. 205. Clarification and expansion of definitions.

Sec. 206. United States pension plans.

Sec. 207. Report by Office of Global Security Risks.

Sec. 208. Technical and conforming amendments.

TITLE III—DIPLOMATIC EFFORTS TO CURTAIL IRANIAN NU-
CLEAR PROLIFERATION AND SPONSORSHIP OF INTER-
NATIONAL TERRORISM

Sec. 301. Diplomatic efforts.



Sec. 302. Strengthening the Nuclear Nonproliferation Treaty.

TITLE IV—DEMOCRACY IN IRAN

Sec. 401. Declaration of Congress regarding United States policy toward Iran.

Sec. 402. Assistance to support democracy in Iran.

Sec. 403. Waiver of certain export license requirements.

1 **TITLE I—CODIFICATION OF**
2 **SANCTIONS AGAINST IRAN**

3 **SEC. 101. CODIFICATION OF SANCTIONS.**

4 (a) CODIFICATION OF SANCTIONS.—United States
5 sanctions, controls, and regulations with respect to Iran
6 imposed pursuant to Executive Order 12957, Executive
7 Order 12959, and sections 2 and 3 of Executive Order
8 13059 (relating to exports and certain other transactions
9 with Iran) as in effect on January 1, 2006, shall remain
10 in effect until the President certifies to the Committee on
11 International Relations of the House of Representatives
12 and the Committee on Foreign Relations of the Senate
13 that the Government of Iran has verifiably dismantled its
14 weapons of mass destruction programs.

15 (b) NO EFFECT ON OTHER SANCTIONS RELATING TO
16 SUPPORT FOR ACTS OF INTERNATIONAL TERRORISM.—
17 Subsection (a) shall have no effect on United States sanc-
18 tions, controls, and regulations relating to a determination
19 under section 6(j)(1)(A) of the Export Administration Act
20 of 1979 (50 U.S.C. App. 2405(j)(1)(A)), section 620A(a)
21 of the Foreign Assistance Act of 1961 (22 U.S.C.
22 2371(a)), or section 40(d) of the Arms Export Control Act



1 (22 U.S.C. 2780(d)) relating to support for acts of inter-
2 national terrorism by the Government of Iran, as in effect
3 on January 1, 2006.

4 **SEC. 102. LIABILITY OF PARENT COMPANIES FOR VIOLA-**
5 **TIONS OF SANCTIONS BY FOREIGN ENTITIES.**

6 (a) IN GENERAL.—In any case in which an entity en-
7 gages in an act outside the United States which, if com-
8 mitted in the United States or by a United States person,
9 would violate Executive Order 12959 of May 6, 1995, Ex-
10 ecutive Order 13059 of August 19, 1997, or any other
11 prohibition on transactions with respect to Iran that is im-
12 posed under the International Emergency Economic Pow-
13 ers Act (50 U.S.C. 1701 et seq.) and if that entity was
14 created or availed of for the purpose of engaging in such
15 an act, the parent company of that entity shall be subject
16 to the penalties for such violation to the same extent as
17 if the parent company had engaged in that act.

18 (b) DEFINITIONS.—In this section—

19 (1) an entity is a “parent company” of another
20 entity if it owns, directly or indirectly, more than 50
21 percent of the equity interest in that other entity
22 and is a United States person; and

23 (2) the term “entity” means a partnership, as-
24 sociation, trust, joint venture, corporation, or other
25 organization.



1 **TITLE II—AMENDMENTS TO THE**
2 **IRAN AND LIBYA SANCTIONS**
3 **ACT OF 1996 AND OTHER PRO-**
4 **VISIONS RELATED TO INVEST-**
5 **MENT IN IRAN**

6 **SEC. 201. MULTILATERAL REGIME.**

7 (a) REPORTS TO CONGRESS.—Section 4(b) of the
8 Iran and Libya Sanctions Act of 1996 (50 U.S.C. 1701
9 note) is amended to read as follows:

10 “(b) REPORTS TO CONGRESS.—Not later than six
11 months after the date of the enactment of the Iran Free-
12 dom Support Act and every six months thereafter, the
13 President shall submit to the appropriate congressional
14 committees a report regarding specific diplomatic efforts
15 undertaken pursuant to subsection (a), the results of those
16 efforts, and a description of proposed diplomatic efforts
17 pursuant to such subsection. Each report shall include—

18 “(1) a list of the countries that have agreed to
19 undertake measures to further the objectives of sec-
20 tion 3 with respect to Iran;

21 “(2) a description of those measures,
22 including—

23 “(A) government actions with respect to
24 public or private entities (or their subsidiaries)



1 located in their territories, that are engaged in
2 Iran;

3 “(B) any decisions by the governments of
4 these countries to rescind or continue the provi-
5 sion of credits, guarantees, or other govern-
6 mental assistance to these entities; and

7 “(C) actions taken in international fora to
8 further the objectives of section 3;

9 “(3) a list of the countries that have not agreed
10 to undertake measures to further the objectives of
11 section 3 with respect to Iran, and the reasons
12 therefor; and

13 “(4) a description of any memorandums of un-
14 derstanding, political understandings, or inter-
15 national agreements to which the United States has
16 acceded which affect implementation of this section
17 or section 5(a).”.

18 (b) WAIVER.—Section 4(c) of such Act (50 U.S.C.
19 1701 note) is amended to read as follows:

20 “(c) WAIVER.—

21 “(1) IN GENERAL.—The President may, on a
22 case by case basis, waive for a period of not more
23 than six months the application of section 5(a) with
24 respect to a national of a country, if the President
25 certifies to the appropriate congressional committees



1 at least 30 days before such waiver is to take effect
2 that—

3 “(A) such waiver is vital to the national se-
4 curity interests of the United States; and

5 “(B) the country of the national has un-
6 dertaken substantial measures to prevent the
7 acquisition and development of weapons of mass
8 destruction by the Government of Iran.

9 “(2) SUBSEQUENT RENEWAL OF WAIVER.—If
10 the President determines that, in accordance with
11 paragraph (1), such a waiver is appropriate, the
12 President may, at the conclusion of the period of a
13 waiver under paragraph (1), renew such waiver for
14 subsequent periods of not more than six months
15 each.”.

16 (c) INVESTIGATIONS.—Section 4 of such Act (50
17 U.S.C. 1701 note) is amended by adding at the end the
18 following new subsection:

19 “(f) INVESTIGATIONS.—

20 “(1) IN GENERAL.—The President shall initiate
21 an investigation into the possible imposition of sanc-
22 tions against a person upon receipt by the United
23 States of credible information indicating that such
24 person is engaged in activity related to investment in
25 Iran as described in section 5(a).



1 “(2) DETERMINATION AND NOTIFICATION.—

2 “(A) IN GENERAL.—Not later than 180
3 days after an investigation is initiated in ac-
4 cordance with paragraph (1), the President
5 shall determine, pursuant to section 5(a),
6 whether or not to impose sanctions against a
7 person engaged in activity related to investment
8 in Iran as described in such section as a result
9 of such activity and shall notify the appropriate
10 congressional committees of the basis for such
11 determination.

12 “(B) EXTENSION.—If the President is un-
13 able to make a determination under subpara-
14 graph (A), the President shall notify the appro-
15 priate congressional committees and shall ex-
16 tend such investigation for a subsequent period,
17 not to exceed 180 days, after which the Presi-
18 dent shall make the determination required
19 under such subparagraph and shall notify the
20 appropriate congressional committees of the
21 basis for such determination in accordance with
22 such subparagraph.

23 “(3) DETERMINATIONS REGARDING PENDING
24 INVESTIGATIONS.—Not later than 90 days after the
25 date of the enactment of this Act, the President



1 shall, with respect to any investigation that was
2 pending as of January 1, 2006, concerning a person
3 engaged in activity related to investment in Iran as
4 described in section 5(a), determine whether or not
5 to impose sanctions against such person as a result
6 of such activity and shall notify the appropriate con-
7 gressional committees of the basis for such deter-
8 mination.

9 “(4) PUBLICATION.—Not later than 10 days
10 after the President notifies the appropriate congres-
11 sional committees under paragraphs (2) and (3), the
12 President shall ensure publication in the Federal
13 Register of the identification of the persons against
14 which the President has made a determination that
15 the imposition of sanctions is appropriate, together
16 with an explanation for such determination.”.

17 **SEC. 202. IMPOSITION OF SANCTIONS.**

18 (a) SANCTIONS WITH RESPECT TO DEVELOPMENT
19 OF PETROLEUM RESOURCES.—Section 5(a) of the Iran
20 and Libya Sanctions Act of 1996 (50 U.S.C. 1701 note)
21 is amended—

22 (1) in the heading, by striking “to Iran” and
23 inserting “to the Development of Petroleum Re-
24 sources of Iran”;

25 (2) by striking “(6)” and inserting “(5)”; and



1 (3) by striking “with actual knowledge,”.

2 (b) SANCTIONS WITH RESPECT TO DEVELOPMENT
3 OF WEAPONS OF MASS DESTRUCTION OR OTHER MILI-
4 TARY CAPABILITIES.—Section 5(b) of such Act (50 U.S.C.
5 1701 note) is amended to read as follows:

6 “(b) MANDATORY SANCTIONS WITH RESPECT TO
7 DEVELOPMENT OF WEAPONS OF MASS DESTRUCTION OR
8 OTHER MILITARY CAPABILITIES.—Notwithstanding any
9 other provision of law, the President shall impose two or
10 more of the sanctions described in paragraphs (1) through
11 (5) of section 6 if the President determines that a person
12 has, on or after the date of the enactment of this Act,
13 exported, transferred, or otherwise provided to Iran any
14 goods, services, technology, or other items knowing that
15 the provision of such goods, services, technology, or other
16 items would contribute to the ability of Iran to—

17 “(1) acquire or develop chemical, biological, or
18 nuclear weapons or related technologies; or

19 “(2) acquire or develop destabilizing numbers
20 and types of advanced conventional weapons.”.

21 (c) PERSONS AGAINST WHICH THE SANCTIONS ARE
22 TO BE IMPOSED.—Section 5(c)(2) of such Act (50 U.S.C.
23 1701 note) is amended—

24 (1) in subparagraph (B), by striking “, with ac-
25 tual knowledge,” and by striking “or” at the end;



1 (2) in subparagraph (C), by striking “, with ac-
2 tual knowledge,” and by striking the period at the
3 end and inserting “; or”; and

4 (3) by adding at the end the following new sub-
5 paragraph:

6 “(D) is a private or government lender, in-
7 surer, underwriter, or guarantor of the person
8 referred to in paragraph (1) if that private or
9 government lender, insurer, underwriter, or
10 guarantor engaged in the activities referred to
11 in paragraph (1).”.

12 (d) EFFECTIVE DATE.—The amendments made by
13 this section shall apply with respect to actions taken on
14 or after March 15, 2006.

15 **SEC. 203. TERMINATION OF SANCTIONS.**

16 Section 8(a) of the Iran and Libya Sanctions Act of
17 1996 (50 U.S.C. 1701 note) is amended—

18 (1) in paragraph (1)(C), by striking “and” at
19 the end;

20 (2) in paragraph (2), by striking the period at
21 the end and inserting “; and”; and

22 (3) by adding at the end the following new
23 paragraph:

24 “(3) poses no significant threat to United
25 States national security, interests, or allies.”.



1 **SEC. 204. SUNSET.**

2 Section 13 of the Iran and Libya Sanctions Act of
3 1996 (50 U.S.C. 1701 note) is amended—

4 (1) in the section heading, by striking “; **SUN-**
5 **SET**”;

6 (2) in subsection (a), by striking the subsection
7 designation and heading; and

8 (3) by striking subsection (b).

9 **SEC. 205. CLARIFICATION AND EXPANSION OF DEFINI-**
10 **TIONS.**

11 (a) **PERSON.**—Section 14(14)(B) of the Iran and
12 Libya Sanctions Act of 1996 (50 U.S.C. 1701 note) is
13 amended—

14 (1) by inserting after “trust” the following: “,
15 financial institution, insurer, underwriter, guarantor,
16 any other business organization, including any for-
17 eign subsidiaries of the foregoing,”; and

18 (2) by inserting before the semicolon the fol-
19 lowing: “, such as an export credit agency”.

20 (b) **PETROLEUM RESOURCES.**—Section 14(15) of the
21 Iran and Libya Sanctions Act of 1996 (50 U.S.C. 1701
22 note) is amended by inserting after “petroleum” the fol-
23 lowing: “, petroleum by-products,”.

24 **SEC. 206. UNITED STATES PENSION PLANS.**

25 (a) **FINDINGS.**—Congress finds the following:



1 (1) The United States and the international
2 community face no greater threat to their security
3 than the prospect of rogue regimes who support
4 international terrorism obtaining weapons of mass
5 destruction, and particularly nuclear weapons.

6 (2) Iran is the leading state sponsor of inter-
7 national terrorism and is close to achieving nuclear
8 weapons capability but has paid no price for nearly
9 twenty years of deception over its nuclear program.
10 Foreign entities that have invested in Iran's energy
11 sector, despite Iran's support of international ter-
12 rorism and its nuclear program, have afforded Iran
13 a free pass while many United States entities have
14 unknowingly invested in those same foreign entities.

15 (3) United States investors have a great deal at
16 stake in preventing Iran from acquiring nuclear
17 weapons.

18 (4) United States investors can have consider-
19 able influence over the commercial decisions of the
20 foreign entities in which they have invested.

21 (b) PUBLICATION IN FEDERAL REGISTER.—Not
22 later than six months after the date of the enactment of
23 this Act and every six months thereafter, the President
24 shall ensure publication in the Federal Register of a list
25 of all United States and foreign entities that have invested



1 more than \$20,000,000 in Iran's energy sector between
2 August 5, 1996, and the date of such publication. Such
3 list shall include an itemization of individual investments
4 of each such entity, including the dollar value, intended
5 purpose, and current status of each such investment.

6 (c) SENSE OF CONGRESS RELATING TO DIVESTI-
7 TURE FROM IRAN.—It is the sense of Congress that, upon
8 publication of a list in the relevant Federal Register under
9 subsection (b), managers of United States Government
10 pension plans or thrift savings plans, managers of pension
11 plans maintained in the private sector by plan sponsors
12 in the United States, and managers of mutual funds sold
13 or distributed in the United States should immediately ini-
14 tiate efforts to divest all investments of such plans or
15 funds in any entity included on the list.

16 (d) SENSE OF CONGRESS RELATING TO PROHIBI-
17 TION ON FUTURE INVESTMENT.—It is the sense of Con-
18 gress that, upon publication of a list in the relevant Fed-
19 eral Register under subsection (b), there should be no fu-
20 ture investment in any entity included on the list by man-
21 agers of United States Government pension plans or thrift
22 savings plans, managers of pension plans maintained in
23 the private sector by plan sponsors in the United States,
24 and managers of mutual funds sold or distributed in the
25 United States.



1 (e) DISCLOSURE TO INVESTORS.—

2 (1) IN GENERAL.—Not later than 30 days after
3 the date of publication of a list in the relevant Fed-
4 eral Register under subsection (b), managers of
5 United States Government pension plans or thrift
6 savings plans, managers of pension plans maintained
7 in the private sector by plan sponsors in the United
8 States, and managers of mutual funds sold or dis-
9 tributed in the United States shall notify investors
10 that the funds of such investors are invested in an
11 entity included on the list. Such notification shall
12 contain the following information:

13 (A) The name or other identification of the
14 entity.

15 (B) The amount of the investment in the
16 entity.

17 (C) The potential liability to the entity if
18 sanctions are imposed by the United States on
19 Iran or on the entity.

20 (D) The potential liability to investors if
21 such sanctions are imposed.

22 (2) FOLLOW-UP NOTIFICATION.—

23 (A) IN GENERAL.—Except as provided in
24 subparagraph (C), in addition to the notifica-
25 tion required under paragraph (1), such man-



1 agers shall also include such notification in
2 every prospectus and in every regularly pro-
3 vided quarterly, semi-annual, or annual report
4 provided to investors, if the funds of such inves-
5 tors are invested in an entity included on the
6 list.

7 (B) CONTENTS OF NOTIFICATION.—The
8 notification described in subparagraph (A) shall
9 be displayed prominently in any such pro-
10 spectus or report and shall contain the informa-
11 tion described in paragraph (1).

12 (C) GOOD-FAITH EXCEPTION.—If, upon
13 publication of a list in the relevant Federal
14 Register under subsection (b), such managers
15 verifiably divest all investments of such plans or
16 funds in any entity included on the list and
17 such managers do not initiate any new invest-
18 ment in any other such entity, such managers
19 shall not be required to include the notification
20 described in subparagraph (A) in any pro-
21 spectus or report provided to investors.

22 **SEC. 207. REPORT BY OFFICE OF GLOBAL SECURITY RISKS.**

23 Not later than 30 days after the date of publication
24 of a list in the relevant Federal Register under section
25 206(b), the Office of Global Security Risks within the Di-



1 vision of Corporation Finance of the United States Securi-
2 ties and Exchange Commission shall issue a report con-
3 taining a list of the United States and foreign entities
4 identified in accordance with such section, a determination
5 of whether or not the operations in Iran of any such entity
6 constitute a political, economic, or other risk to the United
7 States, and a determination of whether or not the entity
8 faces United States litigation, sanctions, or similar cir-
9 cumstances that are reasonably likely to have a material
10 adverse impact on the financial condition or operations of
11 the entity.

12 **SEC. 208. TECHNICAL AND CONFORMING AMENDMENTS.**

13 (a) FINDINGS.—Section 2 of the Iran and Libya
14 Sanctions Act of 1996 (50 U.S.C. 1701 note) is amended
15 by striking paragraph (4).

16 (b) DECLARATION OF POLICY.—Section 3 of the Iran
17 and Libya Sanctions Act of 1996 (50 U.S.C. 1701 note)
18 is amended—

19 (1) in subsection (a), by striking “(a) POLICY
20 WITH RESPECT TO IRAN.—”; and

21 (2) by striking subsection (b).

22 (c) TERMINATION OF SANCTIONS.—Section 8 of the
23 Iran and Libya Sanctions Act of 1996 (50 U.S.C. 1701
24 note) is amended—



1 (1) in subsection (a), by striking “(a) IRAN.—
2 ”; and

3 (2) by striking subsection (b).

4 (d) DURATION OF SANCTIONS; PRESIDENTIAL WAIV-
5 ER.—Section 9(c)(2)(C) of the Iran and Libya Sanctions
6 Act of 1996 (50 U.S.C. 1701 note) is amended to read
7 as follows:

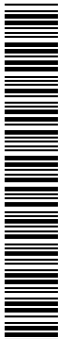
8 “(C) an estimate of the significance of the
9 provision of the items described in section 5(a)
10 or section 5(b) to Iran’s ability to, respectively,
11 develop its petroleum resources or its weapons
12 of mass destruction or other military capabili-
13 ties; and”.

14 (e) REPORTS REQUIRED.—Section 10(b)(1) of the
15 Iran and Libya Sanctions Act of 1996 (50 U.S.C. 1701
16 note) is amended by striking “and Libya” each place it
17 appears.

18 (f) DEFINITIONS.—Section 14 of the Iran and Libya
19 Sanctions Act of 1996 (50 U.S.C. 1701 note) is
20 amended—

21 (1) in paragraph (9)—

22 (A) in the matter preceding subparagraph
23 (A), by striking “, or with the Government of
24 Libya or a nongovernmental entity in Libya,”;
25 and



1 (B) in subparagraph (A)—

2 (i) by striking “or Libya (as the case
3 may be)”; and

4 (ii) by striking “nongovenmental” and
5 inserting “nongovernmental”;

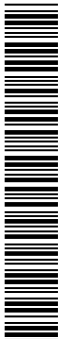
6 (2) by striking paragraph (12); and

7 (3) by redesignating paragraphs (13), (14),
8 (15), (16), and (17) as paragraphs (12), (13), (14),
9 (15), and (16), respectively.

10 (g) SHORT TITLE.—

11 (1) IN GENERAL.—Section 1 of the Iran and
12 Libya Sanctions Act of 1996 (50 U.S.C. 1701 note)
13 is amended by striking “and Libya”.

14 (2) REFERENCES.— Any reference in any other
15 provision of law, regulation, document, or other
16 record of the United States to the “Iran and Libya
17 Sanctions Act of 1996” shall be deemed to be a ref-
18 erence to the “Iran Sanctions Act of 1996”.



1 **TITLE III—DIPLOMATIC EF-**
2 **FORTS TO CURTAIL IRANIAN**
3 **NUCLEAR PROLIFERATION**
4 **AND SPONSORSHIP OF INTER-**
5 **NATIONAL TERRORISM**

6 **SEC. 301. DIPLOMATIC EFFORTS.**

7 (a) SENSE OF CONGRESS RELATING TO UNITED NA-
8 TIONS SECURITY COUNCIL AND THE INTERNATIONAL
9 ATOMIC ENERGY AGENCY.—It is the sense of Congress
10 that the President should instruct the United States Per-
11 manent Representative to the United Nations to work to
12 secure support at the United Nations Security Council for
13 a resolution that would impose sanctions on Iran as a re-
14 sult of its repeated breaches of its nuclear nonproliferation
15 obligations, to remain in effect until Iran has verifiably
16 dismantled its weapons of mass destruction programs.

17 (b) PROHIBITION ON ASSISTANCE TO COUNTRIES
18 THAT INVEST IN THE ENERGY SECTOR OF IRAN.—

19 (1) WITHHOLDING OF ASSISTANCE.—If, on or
20 after April 13, 2005, a foreign person (as defined in
21 section 14 of the Iran Sanctions Act of 1996 (50
22 U.S.C. 1701 note), as renamed pursuant to section
23 208(g)(1)) or an agency or instrumentality of a for-
24 eign government has more than \$20,000,000 in-
25 vested in Iran's energy sector, the President shall,



1 until the date on which such person or agency or in-
2 strumentality of such government terminates such
3 investment, withhold assistance under the Foreign
4 Assistance Act of 1961 (22 U.S.C. 2151 et seq.) to
5 the government of the country to which such person
6 owes allegiance or to which control is exercised over
7 such agency or instrumentality.

8 (2) WAIVER.—Assistance prohibited by this sec-
9 tion may be furnished to the government of a for-
10 eign country described in subsection (a) if the Presi-
11 dent determines that furnishing such assistance is
12 important to the national security interests of the
13 United States, furthers the goals described in this
14 Act, and, not later than 15 days before obligating
15 such assistance, notifies the Committee on Inter-
16 national Relations of the House of Representatives,
17 the Committee on Foreign Relations of the Senate,
18 the Committee on Appropriations of the House of
19 Representatives, and the Committee on Appropria-
20 tions of the Senate of such determination and sub-
21 mits to such committees a report that includes—

22 (A) a statement of the determination;

23 (B) a detailed explanation of the assistance
24 to be provided;



1 (C) the estimated dollar amount of the as-
2 sistance; and

3 (D) an explanation of how the assistance
4 furthers United States national security inter-
5 ests.

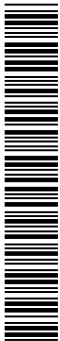
6 **SEC. 302. STRENGTHENING THE NUCLEAR NONPROLIFERA-**
7 **TION TREATY.**

8 (a) FINDINGS.—Congress finds the following:

9 (1) Article IV of the Treaty on the Non-Pro-
10 liferation of Nuclear Weapons (commonly referred to
11 as the “Nuclear Nonproliferation Treaty” or
12 “NPT”) states that countries that are parties to the
13 Treaty have the “inalienable right . . . to develop re-
14 search, production and use of nuclear energy for
15 peaceful purposes without discrimination and in con-
16 formity with articles I and II of this Treaty.”.

17 (2) Iran has manipulated Article IV of the Nu-
18 clear Nonproliferation Treaty to acquire technologies
19 needed to manufacture nuclear weapons under the
20 guise of developing peaceful nuclear technology.

21 (3) Legal authorities, diplomatic historians, and
22 officials closely involved in the negotiation and ratifi-
23 cation of the Nuclear Nonproliferation Treaty state
24 that the Treaty neither recognizes nor protects such
25 a per se right to all nuclear technology, such as en-



1 richment and reprocessing, but rather affirms that
2 the right to the use of peaceful nuclear energy is
3 qualified.

4 (b) DECLARATION OF CONGRESS REGARDING
5 UNITED STATES POLICY TO STRENGTHEN THE NUCLEAR
6 NONPROLIFERATION TREATY.—Congress declares that it
7 should be the policy of the United States to support diplo-
8 matic efforts to end the manipulation of Article IV of the
9 Nuclear Nonproliferation Treaty, as undertaken by Iran,
10 without undermining the Treaty itself.

11 **TITLE IV—DEMOCRACY IN IRAN**

12 **SEC. 401. DECLARATION OF CONGRESS REGARDING**
13 **UNITED STATES POLICY TOWARD IRAN.**

14 (a) IN GENERAL.—Congress declares that it should
15 be the policy of the United States to support independent
16 human rights and peaceful pro-democracy forces in Iran.

17 (b) RULE OF CONSTRUCTION.—Nothing in this Act
18 shall be construed as authorizing the use of force against
19 Iran.

20 **SEC. 402. ASSISTANCE TO SUPPORT DEMOCRACY IN IRAN.**

21 (a) AUTHORIZATION.—

22 (1) IN GENERAL.—The President is authorized
23 to provide financial and political assistance (includ-
24 ing the award of grants) to foreign and domestic in-
25 dividuals, organizations, and entities that support



1 democracy and the promotion of democracy in Iran.
2 Such assistance may include the award of grants to
3 eligible independent pro-democracy radio and tele-
4 vision broadcasting organizations that broadcast into
5 Iran.

6 (2) LIMITATION ON ASSISTANCE.—In accord-
7 ance with the rule of construction described in sub-
8 section (b) of section 401, none of the funds author-
9 ized under this section shall be used to support the
10 use of force against Iran.

11 (b) ELIGIBILITY FOR ASSISTANCE.—Financial and
12 political assistance under this section may be provided
13 only to an individual, organization, or entity that—

14 (1) officially opposes the use of violence and
15 terrorism and has not been designated as a foreign
16 terrorist organization under section 219 of the Im-
17 migration and Nationality Act (8 U.S.C. 1189) at
18 any time during the preceding four years;

19 (2) advocates the adherence by Iran to non-
20 proliferation regimes for nuclear, chemical, and bio-
21 logical weapons and materiel;

22 (3) is dedicated to democratic values and sup-
23 ports the adoption of a democratic form of govern-
24 ment in Iran;



1 (4) is dedicated to respect for human rights, in-
2 cluding the fundamental equality of women;

3 (5) works to establish equality of opportunity
4 for people; and

5 (6) supports freedom of the press, freedom of
6 speech, freedom of association, and freedom of reli-
7 gion.

8 (c) FUNDING.—The President may provide assistance
9 under this section using—

10 (1) funds available to the Middle East Partner-
11 ship Initiative (MEPI), the Broader Middle East
12 and North Africa Initiative, and the Human Rights
13 and Democracy Fund; and

14 (2) amounts made available pursuant to the au-
15 thorization of appropriations under subsection (g).

16 (d) NOTIFICATION.—Not later than 15 days before
17 each obligation of assistance under this section, and in ac-
18 cordance with the procedures under section 634A of the
19 Foreign Assistance Act of 1961 (22 U.S.C. 2394–l), the
20 President shall notify the Committee on International Re-
21 lations and the Committee on Appropriations of the House
22 of Representatives and the Committee on Foreign Rela-
23 tions and the Committee on Appropriations of the Senate.
24 Such notification shall include, as practicable, the types



1 of programs supported by such assistance and the recipi-
2 ents of such assistance.

3 (e) SENSE OF CONGRESS REGARDING DIPLOMATIC
4 ASSISTANCE.—It is the sense of Congress that—

5 (1) contacts should be expanded with opposition
6 groups in Iran that meet the criteria under sub-
7 section (b);

8 (2) support for a transition to democracy in
9 Iran should be expressed by United States rep-
10 resentatives and officials in all appropriate inter-
11 national fora;

12 (3) efforts to bring a halt to the nuclear weap-
13 ons program of Iran, including steps to end the sup-
14 ply of nuclear components or fuel to Iran, should be
15 intensified, with particular attention focused on the
16 cooperation regarding such program—

17 (A) between the Government of Iran and
18 the Government of the Russian Federation; and

19 (B) between the Government of Iran and
20 individuals from China and Pakistan, including
21 the network of Dr. Abdul Qadeer (A. Q.) Khan;
22 and

23 (4) officials and representatives of the United
24 States should—



1 (A) strongly and unequivocally support in-
2 digenous efforts in Iran calling for free, trans-
3 parent, and democratic elections; and

4 (B) draw international attention to viola-
5 tions by the Government of Iran of human
6 rights, freedom of religion, freedom of assem-
7 bly, and freedom of the press.

8 (f) AUTHORIZATION OF APPROPRIATIONS.—There is
9 authorized to be appropriated to the Department of State
10 such sums as may be necessary to carry out this section.

11 **SEC. 403. WAIVER OF CERTAIN EXPORT LICENSE REQUIRE-**
12 **MENTS.**

13 The Secretary of State may, in consultation with the
14 Secretary of Commerce, waive the requirement to obtain
15 a license for the export to, or by, any person to whom
16 the Department of State has provided a grant under a
17 program to promote democracy or human rights abroad,
18 any item which is commercially available in the United
19 States without government license or permit, to the extent
20 that such export would be used exclusively for carrying
21 out the purposes of the grant.

